

Response to Official Action
Dated January 24, 2006
Re: USSN 10/789,260
Page 2

REMARKS

In the Official Action the Examiner rejects Claims 1-24 under 35 U.S.C. 103 as being obvious over U.S. Patent No. 6,657,732 to Pepper, et. al in view of two other documents.

The Examiner notes the fact that two of the inventors herein share in common inventorship with the prior issued U.S. Patent, and moreover that the applied reference has a common assignee with the instant Application.

The Examiner indicates, on Page 3 of the Official Action, that this rejection "might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art..." The Examiner refers the Application to M.P.E.P. §706.02(l)(1) and §706.02(l)(2).

The two M.P.E.P. Sections deal with 35 U.S.C. 103(c) and how common ownership might be established.

In accordance with M.P.E.P. §706.02(l)(1), the following statement is made in a clear and conspicuous manner:

The present Application, namely U.S. Patent Application 10/789,260 and U.S. Patent No. 6,657,732 were, at the time the invention of U. S. Patent Application No. 10/789,260 was made, owned by HRL Laboratories, LLC of Malibu, California.

The M.P.E.P. Section also indicates that, in addition to the statement made immediately above, that the Applicant may submit further information regarding common ownership.

Enclosed herewith are copies of assignment information available on the Internet at the USPTO website showing that U.S. Patent No. 6,657,732 is assigned to HRL Laboratories, LLC as is U.S. Patent Application No. 10/789,260.

Response to Official Action
Dated 21 December 2005
Re: USSN 10/194,974
Page 3

With the submission of this information, it is believed and understood that the rejection has been overcome.

Since there are no other rejections set forth in the Official Action, it is believed that this Application is now in condition for allowance. As such, reconsideration is respectfully requested.

Withdrawal of the rejections and allowance of the claims is respectfully requested.

The Commissioner is authorized to charge any additional fees, which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

Response to Official Action
Dated January 24, 2006
Re: USSN 10/789,260
Page 4

I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent and
Trademark Office, fax no. (571) 273-8300 on

April 24, 2006
(Date of Transmission)

Esther M. Hayes

(Name of Person Transmitting)

(Signature)

(Date)

Respectfully submitted,

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Enclosure: Patent Assignment Abstract of Title from USPTO Website (2 pages)



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Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10789260 Filing Dt: 02/26/2004

Publication #: US20050190373 Pub Dt: 09/01/2005

Inventors: David M. Pepper, Monica Minden, Gilmore J. Dunning

Title: Optical remote sensor with differential Doppler motion compensation

Assignment: 1

Reel/Frame: 015038/0007

Recorded: 02/26/2004

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: PEPPER, DAVID M.

Exec Dt: 02/09/2004

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Exec Dt: 02/09/2004

DUNNING, GILMORE J.

Exec Dt: 02/08/2004

Assignee: HRL LABORATORIES, LLC

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Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Patent #: 6657732

Issue Dt: 12/02/2003

Application #: 09849641

Filing Dt: 05/04/2001

Publication #: US20030189712

Pub Dt: 10/09/2003

Inventors: David M. Pepper, Gilmore J. Dunning

Title: VIBROMETER SYSTEM USING A TWO INPUT BEAM PHASE CONJUGATE MIRROR

Assignment: 1

Reel/Frame: 011780/0192

Recorded: 05/04/2001

Pages: 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

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Exec Dt: 05/03/2001

DUNNING, GILMORE J.

Exec Dt: 05/03/2001

Assignee: HRL LABORATORIES, LLC

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